

Pending action, the Chair announced the following free conference committee on part of the Senate to consider the differences between the two Houses on,

House bill No. 47, being a bill to be entitled "An act to protect persons, associations and unions of workmen, incorporated or unincorporated, in their labels, trademarks, designs, imprints and forms of advertising and names, and to prescribe penalties for violation of same, and to repeal all laws or parts of laws in conflict with this act,"

Senators Bowser, Bailey, Woods, Darwin and Sherrill.

IN SENATE.

House bill No. 565, a bill entitled "An act to amend the charter of the City of Galveston by amending sections 3, 5, 18, 18a, 19, 21, 29, 78a, 113, 127, 128 and 129 thereof, and by adding thereto section 132d."

Read first time, and referred to Committee on Towns and City Corporations.

House bill No. 623, a bill to be entitled "An act to authorize the Secretary of State to furnish Somervell county all necessary laws of the Legislature of the State of Texas, and all reports of the Supreme Court and Court of Appeals, and Court of Criminal Appeals, and Courts of Civil Appeals of Texas."

Read first time and referred to Committee on Finance.

House bill No. 294, a bill to be entitled "An act to diminish the civil and criminal jurisdiction of the county court of Bandera county, and to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict herewith."

Read first time and referred to Judiciary Committee No. 2.

House bill No. 675, a bill to be entitled "An act to amend section 57 of an act entitled 'An act to incorporate the city of Austin, to grant it a new charter, and to extend its boundaries.'"

Read first time and referred to Committee on Towns and City Corporations.

On motion of Senator Woods, Senate adjourned till Monday morning at 10 o'clock by the following vote:

Yeas—12.

Agnew.	Greer.
Atlee.	Harrison.
Bailey.	McComb.
Dibrell.	McKinney.
Dickson.	Stallion.
Goss.	Woods.

Nays—8.

Beall.	Lawhon.
Bowser.	Presler.
Colquitt.	Steele.
Gage.	Tips.

Absent, excused.

Lewis.	Smith.
Rogers.	Whitaker.

Absent, not excused.

Boren.	Shelburne.
Darwin.	Sherrill.
Dean.	Simpson.

SIXTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas, April 1, 1895.

Senate met pursuant to adjournment.
Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Bowser.
Bailey.	Colquitt.
Beall.	Darwin.
Boren.	Dean.
Dibrell.	Presler.
Gage.	Shelburne.
Goss.	Sherrill.
Greer.	Simpson.
Harrison.	Stafford.
Lawhon.	Steele.
McComb.	Tips.
McKinney.	Woods.

Absent, excused.

Smith.

Absent, not excused.

Atlee.
Dickson.
Lewis.

Rogers.
Whitaker.

Prayer by Chaplain, Dr Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Woods, the same was suspended.

On motion of Senator Dibrell, Senators Simpson and Shelburne were excused for non-attendance on Saturday last on account of important business.

On motion of Senator Dean, Senator Rogers was excused till Wednesday next on important business.

On motion of Senator Greer, Senator Atlee was excused till Wednesday on important business.

On motion of Senator Boren, Senator Dickson was excused for today on account of important business.

On motion of Senator Harrison, Assistant Journal Clerk Thweatt was excused for today on account of important business.

PETITIONS AND MEMORIALS.

By Senator Gage:

Petition from citizens of Garza county, for attachment of said county to Kent county for land surveying and judicial purposes.

Read and referred to Committee on Judicial Districts.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 436, being a bill to be entitled "An act to amend article 490, title 15, chapter 1, Penal Code of the State of Texas, and by adding thereto subdivisions 7 and 8, and to repeal a

portion of article 492, title 15, of the Penal Code,"

Have had the same under consideration, and I am instructed by a majority of the committee to report the same back to the Senate with the recommendation that it do pass

AGNEW, Chairman

Committee Room,

Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 275, being "An act to incorporate the city of Sherman, in Grayson county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 266, being "An act to amend section 1, chapter 29 of an act passed at the regular session of the Twenty-third Legislature of the State of Texas, approved March 15, 1893, entitled 'An act to amend section 38, chapter 141, of an act passed at the regular session of the Twenty-first Legislature of the State of Texas, approved March 30, 1889, entitled an act to amend chapter 61 of an act entitled an act to amend section 38 of an act entitled an act to redistrict the State into judicial districts and fix the times for holding courts therein, and to provide for the election of judges and district attorneys in such districts at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883,' granting an extension of time for the holding of the district court of Comal county, extending the time for holding district court in Kerr county,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 258, being "An act to amend the city charter of Dallas."

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 233, being "An act to

create a State Teachers Certificate board, to define the powers and duties of said board, and to repeal all laws and parts of laws in conflict with this act,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 192, being "An act to reorganize the Thirty-third and Fifty-first judicial districts of the State of Texas, and name the counties respectively composing said districts and fix the times of holding courts therein, and to repeal all laws in conflict with this act,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 248, being "An act to diminish the civil and criminal jurisdiction of the county court of Wharton county, to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict herewith,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Senate bill No. 283, being a bill to be entitled "An act to change and fix the times for holding courts in the Thirty-ninth judicial district of the State of Texas, and to repeal all laws or parts of laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEALL, Acting Chairman.

Committee Room,

Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Towns and City Corporations, to whom was referred

House bill No. 675, being a bill to be entitled "An act to amend section 57 of an act entitled 'An act to incorporate the city of Austin, to grant it a new charter, and to extend its boundaries,'"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BOWSER, Chairman.

BILLS AND RESOLUTIONS.

By Senator Gage:

A bill to be entitled "An act to change and fix the time for holding courts in the Thirty-ninth Judicial District, and to repeal all laws in conflict herewith."

Read first time and referred to Committee on Judicial Districts.

By Senator Greer:

A bill to be entitled "An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 of an act passed by the Twenty-first Legislature, approved April 5, 1889, and to repeal section 17 thereof, being an act relating to the liens of mechanics, contractors, sub-contractors, builders, laborers and material men."

Read first time and referred to Judiciary Committee No. 1.

By Senator Steele:

A bill to be entitled "An act to amend article 3232 of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-third Legislature, approved March 29, 1893, relating to local option."

Read first time and referred to Judiciary Committee No. 2.

By Senator Greer:

Whereas, the Enrolling Clerk of the Senate is now overcrowded with work, and needing assistance; therefore be it

Resolved by the Senate, That Claud Jester be and he is hereby transferred from the engrossing to the enrolling department.

Adopted.

Call concluded.

Senator Goss called up Senate bill No. 95 (see caption below), with House amendments thereto, and moved that the Senate non-concur in said amendments and ask for a free conference committee.

Carried.

The Chair gave notice of signing, and did sign, after the captions had been read, House bill No. 668, a bill to be entitled "An act to fix the time for holding the courts in the Forty-sixth Judicial District, and to repeal all laws in conflict herewith."

Senate bill No. 197, a bill to be entitled "An act to sanction, ratify and confirm the title of the Texas and New Orleans Railroad Company to the railroad and to all the corporate rights, franchises and privileges of the Sabine and East Texas Railway Company; and to authorize the Texas and New Orleans Railroad Company to purchase, own, possess and operate the railroad, and to purchase, own and exercise all the corporate rights, franchises and privileges of the Louisiana Western Extension Railroad Company; and to authorize said Texas and New Orleans Railroad Company to own and operate said Sabine and East Texas Railway and said Louisiana Western Extension Railroad as parts of its line."

The Chair announced the following free conference committee on part of the Senate to consider the difference of the two Houses on

Senate bill No. 95, a bill to be entitled "An act to provide for the sale of all lands heretofore or hereafter surveyed and set

apart for the benefit of the public free schools, the University and the several asylums, and the lease of such lands and of the public lands of the State, and the patenting of any part of said lands for church, cemetery or school house sites, and to prevent the free use, occupancy, unlawful enclosure or unlawful appropriation of such lands, and to prescribe and provide adequate penalties therefor."

Senators Goss, Gage, Dean, McComb and Presler.

On motion of Senator Beall, Senator Lewis was excused for today on account of important business.

On motion of Senator McKinney, regular order of business was suspended to take up

Senate bill No. 240, a bill to be entitled "An act to amend subdivision a of section 22, of the act passed by the Twenty-second Legislature of Texas, entitled an act to establish a railroad commission for the State of Texas, whereby discrimination and extortion in railroad charges may be prevented, and reasonable freight and passenger tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the commission and the railroads, and afford railroad companies and other parties adequate remedies; to prescribe penalties for the violation of this act, and to provide means and rules for its enforcement, approved April 8, 1891."

Bill read second time and ordered engrossed.

On motion of Senator McKinney, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—20.

Agnew.	Harrison.
Beall.	Lawhon.
Boren.	McComb.
Bowser.	McKinney.
Colquitt.	Presler.
Darwin.	Sherrill.
Dean.	Stafford.
Gage.	Steele.
Goss.	Tips.
Greer.	Woods.

Nays—2.

Shelburne.	Simpson.
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Absent, excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.

Bailey.	Dibrell.
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Bill read third time and passed by the following vote:

Yeas—22.

Agnew.	Gage.
Bailey.	Goss.
Beall.	Greer.
Bowser.	Harrison.
Colquitt.	Lawhon.
Darwin.	McComb.
Dean.	McKinney.

Presler.	Stafford.
Shelburne.	Steele.
Sherrill.	Tips.
Simpson.	Woods.

Nays—None.

Absent, excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.

Boren.	Dibrell.
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On motion of Senator Shelburne, regular order of business was suspended to take up.

House bill No. 608, a bill to be entitled "An act to amend sections 4, 8, 10, 11, 24, 25, 28, 30, 36, 48, 49, 50, 58 and 59 of an act entitled 'An act to incorporate the city of Houston and grant a new charter to said city of Houston,' passed March —, 1893."

Bill read second time, and passed to third reading.

On motion of Senator Shelburne, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Agnew.	Lawhon.
Beall.	McComb.
Boren.	McKinney.
Bowser.	Presler.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dibrell.	Simpson.
Gage.	Stafford.
Goss.	Steele.
Greer.	Tips.
Harrison.	

Nays—None.

Absent, excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.

Bailey.	Woods.
Dean.	

Bill read third time and passed by the following vote:

Yeas—21.

Agnew.	Lawhon.
Beall.	McComb.
Boren.	McKinney.
Bowser.	Presler.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dibrell.	Simpson.
Gage.	Stafford.
Goss.	Steele.
Greer.	Tips.
Harrison.	

Nays—None.

Absent, excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.

Bailey.	Woods.
Dean.	

On motion of Senator Lawhon, regular order of business was suspended to take up

Substitute Senate bill No. 169, a bill to be entitled "An act to amend articles 351, 352, 353 and 354 of the Penal Code of the State of Texas, relating to lotteries and raffles."

Bill read second time.

By Senator Lawhon:

Amend article 352 by adding after the word "dollars," in line 27, the following: "And every day that any of the provisions of this article are violated shall constitute a separate offense."

Adopted.

By Senator Lawhon:

Amend by adding:

"Section 2. The fact that a large amount of money is being constantly drawn from the people of Texas for lotteries in foreign countries creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three separate days be suspended, and this act shall take effect from and after its passage."

Adopted.

By Senator Simpson:

Amend article 352 by inserting after "shall," in line 23, the words "buy or offer to buy or."

Lost by the following vote:

Yeas—9.

Agnew.	Gage.
Boren.	Shelburne.
Bowser.	Simpson.
Dean.	Tips.
Dibrell.	

Nays—12.

Beall.	Lawhon.
Colquitt.	McKinney.
Darwin.	Presler.
Goss.	Sherrill.
Greer.	Steele.
Harrison.	Woods.

Absent, excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.

Bailey.	Stafford.
McComb.	

Bill ordered engrossed by the following vote:

Yeas—18.

Agnew.	Lawhon.
Beall.	McComb.
Boren.	McKinney.
Bowser.	Presler.
Colquitt.	Sherrill.
Darwin.	Stafford.
Gage.	Steele.
Greer.	Tips.
Harrison.	Woods.

Nays—4.

Dean.	Shelburne.
Dibrell.	Simpson.

Absent, excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.
Bailey. Goss.

Senator Lawhon moved to suspend the constitutional rule requiring bills to be read on three several days and that the bill be put upon its third reading and final passage.

Lost (requiring four-fifths) by the following vote:

Yeas—17.

Agnew.	Colquitt.
Beall.	Darwin.
Boren.	Gage.
Bowser.	Goss.
Harrison.	Sherrill.
Lawhon.	Steele.
McComb.	Tips.
McKinney.	Woods.
Presler.	

Nays—5.

Dean.	Shelburne.
Dibrell.	Simpson.
Greer.	

Absent, excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.

Bailey.	Stafford.
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On motion of Senator Gage, regular order of business was suspended to take up

Senate bill No. 141, a bill to be entitled "An act to amend chapter 3 of title 38 of the Revised Civil Statutes of the State of Texas, by adding thereto 2239a, relating to the depositions of parties."

Bill read second time, with committee amendments.

Committee amendments adopted.

By Senator Gage:

Amend by adding section 2 to read as follows:

"Section 2. The near approach of the end of the present session of the Legislature and the great need of an efficient law on this subject creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days be suspended and that this act shall take effect and be in force from and after its passage, and it is so enacted."

Adopted.

Bill ordered engrossed.

On motion of Senator Gage, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—22.

Agnew.	Dibrell.
Beall.	Gage.
Boren.	Goss.
Bowser.	Greer.
Colquitt.	Harrison.
Darwin.	Lawhon.
Dean.	McComb.

McKinney.	Simpson.
Presler.	Steele.
Shelburne.	Tips.
Sherrill.	Woods.

Nays—None.

Absent, excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.

Bailey.	Stafford.
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Bill read third time, and passed by the following vote:

Yeas—21.

Agnew.	McComb.
Beall.	McKinney.
Boren.	Presler.
Bowser.	Shelburne.
Colquitt.	Sherrill.
Darwin.	Simpson.
Dibrell.	Stafford.
Gage.	Steele.
Goss.	Tips.
Harrison.	Woods.
Lawhon.	

Nays—1.

Dean.

Absent—excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.

Bailey.	Greer.
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On motion of Senator Bowser, regular order of business was suspended to take up

Senate bill No. 15, a bill to be entitled "An act to provide for the creation of life and accident insurance companies in this State, and for the regulations thereof, and to repeal all laws and parts of laws in conflict therewith."

Action being upon the motion to reconsider the vote by which section 18 of the bill was stricken out.

Reconsidered by the following vote:

Yeas—17.

Agnew.	Lawhon.
Bailey.	McComb.
Beall.	McKinney.
Boren.	Presler.
Bowser.	Sherrill.
Darwin.	Stafford.
Gage.	Tips.
Goss.	Woods.
Harrison.	

Nays—6.

Colquitt.	Shelburne.
Dean.	Simpson.
Dibrell.	Steele.

Absent, excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.

Greer.

By Senator Agnew:

Substitute the amendment: Amend by striking out section 18 and substituting in lieu thereof the following:

"Section 18. No franchise, income or occupation tax shall be levied or collected from any company that shall invest or loan its capital stock and all the accumulations arising from premiums collected in Texas in securities authorized by this act in this State, provided said securities are rendered subject to ad valorem tax, as required by law, and said taxes paid; and further provided, that nothing in this act shall be so construed as to prevent or prohibit any future Legislature from imposing upon such companies such franchise, income or occupation tax."

Adopted.

Senator Simpson moved to postpone further consideration of the bill till Wednesday next.

Lost.

On engrossment no quorum voting.

Yeas—17.

Agnew.	Lawhon.
Bailey.	McComb.
Beall.	McKinney.
Boren.	Presler.
Bowser.	Sherrill.
Darwin.	Stafford.
Gage.	Tips.
Goss.	Woods.
Harrison.	

Nays—3.

Dean.	Steele.
Greer.	

Present, not voting.

Colquitt.	Simpson.
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Absent, excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.

Dibrell.	Shelburne.
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The Chair announced that as there was no quorum voting, the bill would go to the table.

Senator McComb moved to suspend the regular order of business and to take up

Senate bill No 101, a bill to be entitled "An act to further define connecting lines of common carriers, their relationship to each other, and to those dealing with them, or either of the them, and to prescribe a rule of evidence as to such relationship, and to further prescribe their duties and liabilities."

Senator Beall made the point of order that a quorum was present and hence the bill would not go to the table.

The Chair ruled that there was a quorum present, but as some refused to vote, ordered the vote to be taken upon the motion of Senator McComb, which was done, and the same prevailed.

Bill read third time, and passed by the following vote:

Yeas—15.

Agnew.	Lawhon.
Beall.	McComb.
Boren.	McKinney.
Darwin.	Presler.
Dean.	Sherrill.
Gage.	Steele.
Goss.	Woods.
Harrison.	

Nays—7.

Bailey.	Rogers.
Bowser.	Simpson.
Colquitt.	Tips.
Dibrell.	

Absent, excused.

Atlee.	Smith.
Dickson.	Whitaker.
Lewis.	

Absent—not excused.

Greer.	Stafford.
Shelburne.	

On motion of Senator Agnew, regular order of business was suspended to take up

Senate bill No. 49, a bill to be entitled "An act to give jurisdiction to the several Courts of Civil Appeals over cases transferred from one of such courts to another, under the direction of the Supreme Court, and providing for the transfer of such cases."

Bill read second time with committee amendments.

Committee amendments adopted.

Bill ordered engrossed.

On motion of Senator Agnew, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—21.

Agnew.	Harrison.
Bailey.	Lawhon.
Beall.	McComb.
Boren.	McKinney.
Bowser.	Presler.
Colquitt.	Sherrill.
Darwin.	Simpson.
Dean.	Steele.
Dibrell.	Tips.
Gage.	Woods.
Goss.	

Nays—1.

Shelburne.

Absent, excused.

Atlee.	Rogers.
Dickson.	Smith.
Lewis.	Whitaker.

Absent, not excused.

Greer.	Stafford.
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Bill read third time, and passed by the following vote:

Yeas—22.

Agnew.	Darwin.
Bailey.	Dean.
Beall.	Dibrell.
Boren.	Gage.
Bowser.	Goss.
Colquitt.	Harrison.

Lawhon.
McComb.
McKinney.
Presler.
Shelburne.

Sherrill.
Simpson.
Steele.
Tips.
Woods.

Nays—None.

Absent, excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

Greer.

Stafford.

On motion of Senator Bailey, regular order was suspended to take up

Senate bill No. 276, a bill to be entitled "An act to amend section 3 of an act approved February 6, 1891, (being chapter 3 of the acts of the regular session of the Twenty-second Legislature), in relation to the jurisdiction of the Seventeenth and Forty-eighth judicial districts."

Bill read second time and ordered engrossed.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—23.

Agnew.
Bailey.
Beall.
Boren.
Bowser.
Colquitt.
Darwin.
Dean.
Dibrell.
Gage.
Goss.
Greer.

Harrison.
Lawhon.
McComb.
McKinney.
Presler.
Shelburne.
Sherrill.
Simpson.
Steele.
Tips.
Woods.

Nays—None.

Absent, excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

Stafford.

Bill read third time, and passed by the following vote:

Yeas—23.

Agnew.
Bailey.
Beall.
Boren.
Bowser.
Colquitt.
Darwin.
Dean.
Dibrell.
Gage.
Goss.
Greer.

Harrison.
Lawhon.
McComb.
McKinney.
Presler.
Shelburne.
Sherrill.
Simpson.
Steele.
Tips.
Woods.

Nays—None.

Absent, excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

Stafford.

Senator Tips called up from the table, Senate bill No. 15, being a bill to be entitled "An act to provide for the creation of life and accident insurance companies in this State, and for the regulation thereof, and to repeal all laws and parts of laws in conflict therewith."

And moved to reconsider the vote by which the substitute (Agnew's) for section 18 was adopted.

Reconsidered by the following vote:

Yeas—15.

Agnew.
Bailey.
Boren.
Bowser.
Greer.
Lawhon.
McKinney.
Simpson.

Colquitt.
Dean.
Dibrell.
Goss.
Steele.
Tips.
Woods.

Nays—8.

Beall.
Darwin.
Gage.
Harrison.

McComb.
Presler.
Shelburne.
Sherrill.

Absent, excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

Stafford.

The substitute was then lost.

Senator McComb then moved to postpone further consideration of the bill till Thursday next after call.

Lost.

Action again recurring on Senator Colquitt's amendment to strike out section 18 (which had been previously adopted, and its adoption reconsidered this morning) same was again adopted by the following vote:

Yeas—13.

Agnew.
Boren.
Colquitt.
Dean.
Dibrell.
Goss.
Greer.

Lawhon.
McKinney.
Shelburne.
Simpson.
Steele.
Tips.

Nays—10.

Bailey.
Beall.
Bowser.
Darwin.
Gage.

Harrison.
McComb.
Presler.
Sherrill.
Woods.

Absent, excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent—not excused.

Stafford.

Bill ordered engrossed by the following vote:

Yeas—18.

Agnew.
Bailey.
Boren.
Bowser.

Colquitt.
Dean.
Dibrell.
Gage.

Goss.
Greer.
Lawhon.
McComb.
McKinney.

Shelburne.
Sherrill.
Simpson.
Steele.
Tips.

Nays—5.

Beall.
Darwin.
Harrison.

Presler.
Woods.

Absent, excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

Stafford.

On motion of Senator Bowser, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—18.

Agnew.
Bailey.
Beall.
Boren.
Bowser.
Colquitt.
Dean.
Gage.
Goss.

Greer.
Lawhon.
McComb.
McKinney.
Shelburne.
Sherrill.
Simpson.
Steele.
Woods.

Nays—4.

Darwin.
Harrison.

Presler.
Tips.

Absent, excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

Dibrell.

Stafford.

Bill read third time, and passed by the following vote:

Yeas—17.

Agnew.
Bailey.
Boren.
Bowser.
Dean.
Dibrell.
Gage.
Goss.
Greer.

Lawhon.
McComb.
McKinney.
Shelburne.
Sherrill.
Simpson.
Steele.
Tips.

Nays—6.

Beall.
Colquitt.
Darwin.

Harrison.
Presler.
Woods.

Absent, excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

Stafford.

Senator Beall called up

Senate bill No. 179, being a bill to be entitled "An act to provide for the issuance of attachments for witnesses in felony cases to counties other than those

in which the trial is had, and to provide for the payment of the expenses of such witnesses."

Action being upon Senator Agnew's amendment, towit:

Amend section 1 by adding after the word "witness," in line 24, the following: "Or at the earliest time practicable after he concluded, or was advised, that such testimony is material."

Lost by the following vote:

Yeas—9.

Agnew.
Dibrell.
Goss.
Greer.
Harrison.

Lawhon.
McComb.
Sherrill.
Woods.

Nays—10.

Beall.
Boren.
Bowser.
Colquitt.
Darwin.
Dean.

Gage.
McKinney.
Simpson.
Steele.
Tips.

Absent, excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

Bailey.
Presler.

Shelburne.
Stafford.

(Senator Presler in the chair.)

Senator Agnew moved to adjourn to 3 p. m.

Lost by the following vote:

Yeas—9.

Agnew.
Dibrell.
Goss.
Harrison.
Lawhon.

McComb.
Sherrill.
Simpson.
Woods.

Nays—11.

Beall.
Boren.
Bowser.
Colquitt.
Darwin.
Gage.

Greer.
McKinney.
Presler.
Steele.
Tips.

Absent—excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent—not excused.

Bailey.
Dean.

Shelburne.
Stafford.

By Senator Darwin:

Amend section 3 by striking out all after the word "facts," in line 14.

Lost by the following vote:

Yeas—10.

Agnew.
Bailey.
Darwin.
Dibrell.
Gage.

Goss.
Harrison.
Lawhon.
Presler.
Simpson.

Nays—11.

Beall.
Boren.

Bowser.
Colquitt.

Greer.
McComb.
McKinney.
Sherrill.

Steele.
Tips.
Woods.

Absent, excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

Dean.
Shelburne.

Stafford.

Senator Goss moved to adjourn to 3 p. m..

Senator McComb moved to adjourn to 10 a. m. tomorrow.

Lost.

The Senate then refused to adjourn to 3 p. m.

By Senator Dibrell:

Amend by striking out in line 21 section 1, all after the word "witness" down to and including the word "witness" in line 24.

Lost by the following vote:

Yeas—11.

Agnew.
Dean.
Dibrell.
Goss.
Greer.
Harrison.

Lawhon.
McComb.
McKinney.
Simpson.
Woods.

Nays—11.

Bailey.
Beall.
Boren.
Bowser.
Colquitt.
Darwin.

Gage.
Presler.
Sherrill.
Steele.
Tips.

Absent—excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

Shelburne.

Stafford.

Senator Beall moved the previous question on the bill, which was duly seconded, and pending action,

Senator Greer moved a call of the Senate, which was ordered, pending which

Senator Steele moved to adjourn to 3 p. m.

Senator Dean moved to adjourn to 10 a. m. tomorrow.

Pending action on adjournment,

Senator Bowser asked permission to introduce a resolution instructing the engrossing clerk to re-number the sections in Senate bill No. 15.

Senator Beall made the point of order that the Secretary had begun to call the roll on the motion of Senator Greer for a call of the Senate, and that the other motions were not in order pending roll call.

Sustained.

The call of the Senate was then completed, the following answering to their names:

Agnew.
Bailey.
Beall.
Boren.
Bowser.
Colquitt.
Darwin.
Dean.
Dibrell.
Gage.
Goss.

Greer.
Harrison.
Lawhon.
McComb.
McKinney.
Presler.
Sherrill.
Simpson.
Steele.
Tips.
Woods.

Absent—excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

Shelburne.

Stafford.

Pending business going to the table, Senator Bowser offered the following:

Resolved, That the Engrossing Clerk be and he is hereby authorized and instructed to change and correct the numbering of sections in Senate bill No. 15, as follows:

Section 19 to section 18; section 20 to section 19; section 21 to section 20; section 22 to section 21; section 23 to section 22; section 24 to section 23; section 25 to section 24; section 26 to section 25; section 27 to section 26.

Adopted.

Senator Dean moved to adjourn to 10 a. m. tomorrow.

Senator Steele moved to adjourn to 3 p. m.

Senate refused to adjourn to 10 a. m. by the following vote:

Yeas—9.

Colquitt.
Dean.
Dibrell.
Gage.
Greer.

Harrison.
Lawhon.
Presler.
Simpson.

Nays—12.

Agnew.
Bailey.
Beall.
Boren.
Bowser.
Darwin.

Goss.
McKinney.
Sherrill.
Steele.
Tips.
Woods.

Absent, excused.

Atlee.
Dickson.
Lewis.

Rogers.
Smith.
Whitaker.

Absent, not excused.

McComb.
Shelburne.

Stafford.

The Senate then adjourned to 3 p. m. by the following vote:

Yeas—16.

Agnew.
Beall.
Boren.
Bowser.
Colquitt.
Darwin.
Dibrell.
Gage.

Goss.
Lawhon.
McComb.
McKinney.
Presler.
Sherrill.
Steele.
Woods.

Nays—6.

Bailey.
Dean.
Greer.

Harrison.
Simpson.
Tips.

Absent—excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.
 Absent, not excused.
 Shelburne. Stafford.

AFTERNOON SESSION.

Senate met pursuant to adjournment.
 Lieutenant Governor Jester in the chair.
 Roll called. No quorum present, the following Senators answering to their names:

Agnew. Harrison.
 Beall. McKinney.
 Boren. Presler.
 Bowser. Sherrill.
 Colquitt. Simpson.
 Darwin. Steele.
 Dibrell. Tips.
 Gage. Woods.
 Goss.

Absent, excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.

Absent, not excused.
 Bailey. McComb.
 Dean. Shelburne.
 Greer. Stafford.
 Lawhon.

Senator Beall moved a call of the Senate, which was ordered, the following Senators answering to their names:

Agnew. Harrison.
 Beall. McKinney.
 Boren. Presler.
 Bowser. Sherrill.
 Darwin. Simpson.
 Dibrell. Steele.
 Gage. Tips.
 Goss. Woods.

Absent, excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.

Absent, not excused.
 Bailey. Lawhon.
 Colquitt. McComb.
 Dean. Shelburne.
 Greer. Stafford.

Senator Simpson moved to adjourn to 9:30 a. m. tomorrow.

Lost.

Senator Stafford was announced.

Senator Simpson moved to adjourn to 10 a. m. tomorrow.

Lost by the following vote:

Yeas—8.
 Boren. Presler.
 Colquitt. Sherrill.
 Darwin. Simpson.
 Harrison. Stafford.

Nays—10.
 Agnew. Goss.
 Beall. McKinney.
 Bowser. Steele.
 Dibrell. Tips.
 Gage. Woods.

Absent, excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.
 Absent—not excused.
 Bailey. Lawhon.
 Dean. McComb.
 Greer. Shelburne.

Senator Simpson moved to adjourn to 10:05 a. m. tomorrow.

Lost by the following vote:

Yeas—8.
 Agnew. McKinney.
 Colquitt. Presler.
 Darwin. Simpson.
 Harrison. Stafford.

Nays—10.
 Beall. Goss.
 Boren. Sherrill.
 Bowser. Steele.
 Dibrell. Tips.
 Gage. Woods.

Absent, excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.

Absent—not excused.
 Bailey. Lawhon.
 Dean. McComb.
 Greer. Shelburne.

On motion of Senator Colquitt, the Senate adjourned to 9 a. m. tomorrow by the following vote:

Yeas—10.
 Agnew. Presler.
 Colquitt. Sherrill.
 Darwin. Simpson.
 Harrison. Stafford.
 McKinney. Woods.

Nays—8.
 Beall. Gage.
 Boren. Goss.
 Bowser. Steele.
 Dibrell. Tips.

Absent, excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.

Absent, not excused.
 Bailey. Lawhon.
 Dean. McComb.
 Greer. Shelburne.

SIXTY-NINTH DAY.

Senate Chamber,
 Austin, Texas, April 2, 1895.

Senate met pursuant to adjournment.
 Lieutenant Governor Jester in the chair.

Roll called. No quorum present, the following Senators answering to their names:

Agnew. Greer.
 Bailey. Harrison.
 Bowser. Lawhon.
 Darwin. McKinney.
 Gage. Shelburne.